

Express Mail Label No.: EL947114861US  
Date of Deposit: June 28, 2002

Attorney Docket No.: 21402-221 (Cura 521)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Shimkets et al.

SERIAL NUMBER: 10/023,634

EXAMINER: Not Yet Assigned

FILING DATE: December 17, 2001

ART UNIT: 1645

FOR: PROTEINS, POLYNUCLEOTIDES ENCODING THEM AND METHODS OF USING THE SAME

BOX Missing Parts

Assistant Commissioner for Patents  
Washington, D.C. 20231

TRANSMITTAL

In response to the Notice to File Missing Parts mailed on January 31, 2002, attached please find:

1. Response to Notice to File Missing Parts (1 pg.);
2. A copy of the Notice to File Missing Parts (2 pgs);
3. Declaration and Combined Power of Attorney (3 counterparts) (21 pgs);
4. Preliminary Amendment (2 pgs);
5. Petition for Extension of Time (1 pg);
6. Initial Sequence Listing, paper copy (182 pgs);
7. Initial Sequence Listing in Computer Readable Form (1 disk);
8. Statement in Support of Computer Readable Form Submission under 37 C.F.R. § 1.821(f) (1 pg.);
9. Check No. 13226 in the amount of \$130.00 to cover surcharge;
10. Check No. 13227 in the amount of \$920.00 to cover extension fee; and,
11. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at telephone (617) 542-6000.

The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 50-0311 (Reference No. 21402-221 Cura 521).

Respectfully submitted,

Ivor R. Elrifi, Reg. No.: 39,529  
Cynthia A. Kozakiewicz, Reg. No.: 42,764  
Attorneys for Applicants  
c/o MINTZ, LEVIN  
One Financial Center  
Boston, Massachusetts 02111  
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Dated: June 28, 2002



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PATENT TRADEMARK OFFICE

TRA 1683816v1

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**BOX Missing Parts**

Commissioner for Patents and Trademarks  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

In response to the Notice To File Missing Parts of Nonprovisional Application mailed January 31, 2002, Applicants submit herein an executed Combined Declaration and Power of Attorney (3 counterparts), payment of the surcharge of \$130.00 (#13226) as set forth in 37 C.F.R. §1.16(e), a copy of the Notice to File Missing Parts of Nonprovisional Application, Petition for Three-Month Extension of Time, a check in the amount of \$920.00 (#13227) to cover the Petition fee, a Preliminary Amendment, Statement in Support of CRF and Electronic and paper copy of sequence listing. This response is due on or before June 30, 2002, with the extension.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Attorney Reference No. 21402-221 (Cura 521). A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Ivor R. Elrifi, Reg. No.: 39,529  
Cynthia A. Kozakiewicz, Reg. No. 42,764  
Attorneys for Applicants  
c/o MINTZ, LEVIN  
One Financial Center  
Boston, Massachusetts 02111  
Tel: (617) 542-6000  
Fax: (617) 542-2241

Dated: June 28, 2002

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/023,634	12/14/2001	Richard A. Shimkets	21402-221 (CURA-521)

CONFIRMATION NO. 4413

## FORMALITIES LETTER



\*OC000000007400685\*

MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY and POPEO, P.C.  
One Financial Center  
Boston, MA 02111

07/09/2002 BABRXH1 00000084 10023634

01 FC:105

130.00 DP

Date Mailed: 01/31/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at

patin21help@uspto.gov or patin3help@uspto.gov

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*A copy of this notice MUST be returned with the reply.*

*Ahmad*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE